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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,649	11/26/2001	Poopathy Kathirganasathan	216236US0	4054

22850 7540 04/18/2003

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ALEXANDRIA, VA 22314

EXAMINER

TRUONG, DUC

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 04/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/991,649

Examiner

Duc Truong

Applicant(s)

KATHIRGAMANATHAN ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 24-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 4, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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#### DETAILED ACTION

Applicant's election with traverse of Group I in Paper No. 8 is acknowledged.

The traversal is on the ground(s) that the process disclosed in Group III has not been shown to be different from the process of group I, Group II and III are classified in the same class and subclass, the inventions of groups IV and I as related as product and process of use, is improper. This is not found persuasive because for the reasons as stated below:

Group II and Group III are related as product and product by process. Since they are all product claimed, then they will be rejoined in the future

Applicant is correct in stating that the process in group III is incorrect since group III is product by process, therefore, it should be corrected as: the product as claimed can be made by a materially different process such as one as disclosed in GB 2350617.

Further, the relationships between groups IV and I as related as product and process of use, is a typographical error. It should be read as Groups IV and II.

The requirement is still deemed proper and is therefore made FINAL.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5-6 and 8-10 are rejected under 35 U.S.C 102(b) as being anticipated by Martin or JP 60316631.

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Martin discloses a method of production of copolymer in that the product is obtained by the condensation of diaminoanthracene, under vacuum (see examples VII-VIII).

JP 060316631 discloses a polycyclic aromatic amine polymer comprising polycyclic aromatic amine obtained by chemical oxidative polymerization of a polycyclic aromatic amine compound include aminoanthracenes under vacuum condition (see Abstract).

Claims 1,3,5-6,8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 600135420 or JP 600135419 or JP 600036519 of record on 1449.

JP 600135420 discloses the polycondensation of diaminoanthracenes in the presence of an acid catalyst.

JP 600135419 or JP 600036519 discloses the polycondensation of diaminoanthracenes in the presence of an acid catalyst.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB 2350617 of record on 1449. The reference discloses polymeric products having the general formula (II) (See pages 5, 6, 26, identical with the product of claim 18 or 19 in that the product can be in the homopolymeric form or copolymeric form, derived from diaminoanthracene.

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The disclosure of the reference differs from the instant claims in that it does not disclose the use of a diimino anthracene, as in claim 4.

However, the reference does disclose the use of one of the reactants, a diaminoanthracene, to form the same product having the claimed formula. In view of this similarity, it would appear to be inherent that another reactant, a diiminoanthracene, must be considered inherent in the prior art since this is the only one reactant can react with a diaminoanthracene to form the product of the claimed formula.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Truong whose telephone number is 703-308-2437. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 703-308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9791 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

DT  
April 17, 2003



DUCTRUONG  
PRIMARY EXAMINER